

Planning and Zoning Commission
Regular Meeting
Tuesday, June 22, 2021 at 7:00 P.M.
Gymnasium – Preston Plains Middle School

1. **Call to Order** – Richard Chalifoux called the meeting to order at 7:00 P.M.

2. **Roll Call**

Members

Art Moran, Jr. – Chairman - excused
Richard Chalifoux - Vice Chairman
Anne Sabrowski – Secretary - absent
Denise Beale - absent
Charles Raymond – excused
Doreen Rankin
Mike Sinko

Alternates

Nate Koniecko – seated for Art Moran, Jr.
Vacancy
Vacancy

Kathy Warzecha – Town Planner
Kimberly Lang - Recorder

Also Present

David Capacchione
Nick Rankin

3. **Determination of Quorum**

4. **Membership**

a. **Alternate appointment – Fred Eddy**

Mike Sinko motioned to accept Fred Eddy as the Planning and Zoning Commission’s Alternate to fill one vacancy potion. Doreen Rankin seconded the motion. The motion carried unanimously.

5. **Approval of Minutes**

a. **Regular Meeting Minutes dated May 25, 2021**

Richard Chalifoux noted the following corrections:

- Page 2 – 7a., 9th line, 3rd word should be *this* not the
- Page 2 – 7a., 13th line, after \$2,800 should add *per lot*
- Page 2 – 7a., 15th line, *That* should be eliminated
- Page 3 – 6th line row was questioned and Kathy Warzecha explained that it meant “right of way”

Mike Sinko motioned to accept the May 25, 2021 Minutes as amended. Doreen Rankin seconded the motion. The motion carried unanimously.

6. **Communications**

- Zoning Bulletin, May 25, 2021

- **Zoning Permit Application #2021-04**, David Capacchione, Applicant/Owner for property located at 16 Pendleton Road; Excavation & Deposit of Fill Renewal.
- May 27, 2021 – Letter to John & Christine Kendall from Mildred Peringer, Preston ZEO regarding 15 Rude Road; Excavation of materials and presentation of engineered plan.
- June 8, 2021 – Letter from Louis Steinbrecher, Chairman of North Stonington Planning and Zoning Commission to Jill Keith, Preston Town Clerk regarding Regulation Text Amendments.
- June 27, 2021 – Letter from Kathy Warzecha outlining the progress of an upcoming application, she stated that there is a planned meeting with the abutting property owners and neighbors on Wednesday May 23, 2021 at Poquetanuck Fire Department from 5:30 – 7:00 pm.

7. Public Hearing - None

8. Old Business - None

9. New Business

Zoning Permit

- a. **Zoning Permit Application #2021-04**, David Capacchione, Applicant/Owner for property located at 16 Pendleton Road; Excavation & Deposit of Fill Renewal.

Kathy Warzecha stated that the original permit was granted in 1999 and there have never been any problems or issues with this property. She stated that currently the Planning and Zoning Commission is holding a \$5,000 bond, however it was recommended that the bond be increased to \$10,000. Public Works Director has no issues with the renewal of the applications, the property's owner is still on track with their original application.

The bond increase was discussed. The recommended increase was due to the increase costs to reclaim the land. The original bond dates back to 1999. Posting the bond is a way to protect the town in the event that the owner didn't fulfill their obligation to restore the property when done. Richard Chalifoux felt that the bond increase wasn't a necessary burden to the property owner who has followed guideline and kept the property in good order. Mike Sinko felt it was necessary to increase the bond to protect the town and with the recommendation of an official. It was pointed out that the commission has the ability to follow the recommendation or not.

Mike Sinko motioned to approve the **Zoning Permit Application #2021-04**, David Capacchione, Applicant/Owner for property located at 16 Pendleton Road; Excavation & Deposit of Fill Renewal; and to increase the Bond to \$10,000. There was no second.

Doreen Rankin motioned to approve the Zoning Permit Application #2021-04, David Capacchione, Applicant/Owner for property located at 16 Pendleton Road; Excavation & Deposit of Fill Renewal; with a Bond of \$5,000. Nate Koniacko seconded the motion. Doreen Rankin, Richard Chalifoux, and Nate Koniacko voted yes; while Mike Sinko voted no. The motion carried 3 to 1.

10. Other Matters

- a. **Nick Rankin for property located at 101 & 107 Hollowell Road, request to modify conservation easement that was approved as part of Subdivision #2-05 – Weduco Farms Subdivision.**

Doreen Rankin recused herself for this discussion.

Kathy Warzecha summarized the reasons for the request to modify the conservation easement. Nick Rankin shared plot plans with Commission members to clarify issues. It was explained that for the conservation easement to be modified that approval was needed from Board of Selectmen, Planning & Zoning Commission, and the Inland Wetlands & Watercourses Commission.

b. Draft Subdivision Regulations

No further changes will be made, and a final copy will be available at the next meeting.

c. Draft Short – Term Rental Regulations

Kathy Warzecha explained that she included the recommendations given by Attorney Ken Slater. Rich Chalifoux questioned the need for septic system approval to be included as part of the application. She explained that when a home is used for a short-term rental, it is thought that there is more than typical use. So, according to health codes, they factor in the number of bedrooms and the turnaround use therefore it may be considered a multi-family home. It was also clarified how complaints would be handled. It was decided to add to Section 16.19.1 h. that the Zoning Enforcement Officer would give 24-hour notice of an inspection of the property. It was also pointed out that the permit is renewed on a yearly basis, and that if there are any violations, the permit can be rescinded. If there is a violation in the interim (prior to the renewal permit date) and the applicant does not resolve the violation to the satisfaction of the ZEO, the applicant is required to obtain a renewal permit from the PZC prior to the one-year renewal date. The PZC may rescind/deny the renewal of the permit.

This will be placed on the July agenda for further discussion and a Public Hearing in August.

11. Public Comment – None Present

12. Adjournment

Mike Sinko motioned to adjourn at 7:48 P.M... Doreen Rankin seconded the motion. The motion carried unanimously.

Respectfully Submitted,
Kimberly Lang
Recording Secretary